

UNITED STATES DISTRICT COURT

for the

Northern District of Georgia

Geoffrey Asher)
)
 v.) Case No.: 2:08-CV-35-WCO
)
 Sterling Cole, et al.)
)

BILL OF COSTS

The Court having dismissed Defendant Cole under a verbal order on 08/08/2011, which constitutes an order for Cole against Plaintiff, the Clerk is requested to tax the following as costs:

Fees of the Clerk	\$ _____
Fees for service of summons and subpoena	_____
Fees for printed or electronically recorded transcripts necessarily obtained for use in the case	4,282.82
Fees and disbursements for printing	436.20
Fees for witnesses (<i>itemize on page two</i>)	340.87
Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case.	_____
Docket fees under 28 U.S.C. 1923	_____
Costs as shown on Mandate of Court of Appeals	_____
Compensation of court-appointed experts	_____
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828	_____
Other costs (<i>please itemize</i>)	139.77
TOTAL	\$ 5,199.66

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

Declaration

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:



Electronic service



First class mail, postage prepaid



Other: _____

s/ Attorney: /s/ Jason C. WaymireName of Attorney: Jason C. Waymire - Bar No. 742602

For: _____ Defendant Cole Date: _____ 09/08/2011
Name of Claiming Party

Taxation of Costs

Costs are taxed in the amount of _____ and included in the judgment.

By: _____

Clerk of Court

Deputy Clerk

Date

UNITED STATES DISTRICT COURT

Witness Fees (computation, cf. 28 U.S.C. 1821 for statutory fees)

NAME , CITY AND STATE OF RESIDENCE	ATTENDANCE		SUBSISTENCE		MILEAGE		Total Cost Each Witness
	Days	Total Cost	Days	Total Cost	Miles	Total Cost	
Jennifer Green, Woodstock, GA		40.00				54.94	\$94.94
Donald Grindle, Murrayville, GA		40.00				11.00	\$51.00
Kyle Carroll, Murrayville, GA		40.00				11.00	\$51.00
Wayne Grindle (subpoena/depo)		40.00				42.00	\$82.00
Jason Canup		40.00				21.93	\$61.93
							\$0.00
					TOTAL		\$340.87

NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

“Sec. 1924. Verification of bill of costs.”

“Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed.”

See also Section 1920 of Title 28, which reads in part as follows:

“A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree.”

The Federal Rules of Civil Procedure contain the following provisions:**RULE 54(d)(1)**

Costs Other than Attorneys’ Fees.

Unless a federal statute, these rules, or a court order provides otherwise, costs — other than attorney's fees — should be allowed to the prevailing party. But costs against the United States, its officers, and its agencies may be imposed only to the extent allowed by law. The clerk may tax costs on 14 day's notice. On motion served within the next 7 days, the court may review the clerk's action.

RULE 6

(d) Additional Time After Certain Kinds of Service.

When a party may or must act within a specified time after service and service is made under Rule5(b)(2)(C), (D), (E), or (F), 3 days are added after the period would otherwise expire under Rule 6(a).

RULE 58(e)

Cost or Fee Awards:

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney's fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective to order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59.

WITNESS FEE ITEMIZATION (PAGE 2)

	<u>Witness</u>	<u>Mileage</u>	<u>Total</u>
Jason Stover,	\$40.00	\$27.13	\$ 67.13
Lumpkin County Sheriff's Office	\$10.00		\$ 10.00 (service fee)
Matt Hester (subpoena/depo)	\$40.00	\$22.64	\$ <u>62.64</u>
			\$139.77

Asher v. Lumpkin County, CAF# 2:08-CV-35-WCO

PREVAILING DEFENDANTS' DOCUMENT PRODUCTION COST ITEMIZATION

<u>COPYING & PRINTING COSTS</u>				
	<u>DOCUMENT COPIED</u>	<u>ORIGINAL & COPIES</u>	<u>COST/COPY</u>	<u>CHARGES</u>
Discovery Requests/Pleadings		2,181	.20	\$436.20
	<u>TOTAL</u>			<u>\$436.20</u>

EXHIBIT "A"**ASHER V. LUMPKIN COUNTY, ET AL.**
CIVIL ACTION FILE NO. 2:08-CV-35-WCO**DEPOSITION/TRANSCRIPT COSTS**

<u>DEPONENT</u>	<u>DATE</u>	<u>AMOUNT</u>
Preliminary Hearing Transcript	November 27, 2007	\$ 106.22
Mark McClure	January 6, 2009	\$ 276.80
Geoffrey Asher	September 2, 2009	\$ 966.95
Donald Grindle	September 18, 2009	\$ 330.00
Kyle Carroll Jennifer Green	September 22, 2009	\$ 876.25
Wayne Grindle	April 29, 2010	\$ 452.10
Matthew Hester	July 13, 2011	\$ 370.00
Bull Court Reporting	August 2, 2011	\$ 904.50
	SUBTOTAL	\$4,282.82

APPALACHIAN COURT REPORTING

P.O. Box 943

Blairsville, Georgia 30514

(706) 745-4455

JASON WAYMIRE, ESQUIRE
Williams, Morris & Blum
4330 South Lee Street
Building 400, Suite A
Buford, GA 30518

INVOICE NO. : 10086

INVOICE DATE: 8/15/2008

REPORTER:
Maryjane Hargett

ID# 58-2171714

St. vs. Asher, Goeffrey

Lumpkin County 06-7806-FW-06-7839-FW

Date	Description	Amount
	Probable Cause Hearing before Hon. Gerald Edmondson on November 27, 2007 Transcript Copy	106.22
		Sub Total 106.22
		Paid 0.00
		Balance Due 106.22

THANK YOU VERY MUCH

TDL COURT REPORTING, INC.
3354 Wilkerson Drive
Gainesville, GA 30506
(770) 539-9040
(770) 539-9151 Fax

Jason C. Waymire
4330 South Lee Street, NE
Bldg. 400, Suite A
Buford, GA 30518

INVOICE NO. : 931507
INVOICE DATE: 1/15/2009
REPORTER:
Randy Slane

ID# 58-2274428

ASHER VS. McCLURE
DEPO OF MARK McCLURE

Date	Description
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1/06/2009	One Copy Exhibits - 12
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Sub Total	276.80
Paid	0.00
Balance Due	276.80

WE APPRECIATE YOUR BUSINESS.
TERMS: NET 30 DAYS
LATE FEES APPLY AFTER 60 DAYS

Speedy Reporting, Inc.

110 Kara Drive
P.O. Box 1942
Athens, GA 30603

Invoice

Invoice Date:	Invoice No:
9/14/2009	2155

Bill To:

Jason C. Waymire, Esq.
Building 400, Suite A
4330 South Lee Street, NE
Buford, GA 30518

Reporter:		Terms	Due Date:
M. Henderson		Net 30	10/14/2009
Description	Hours/Qty	Rate	Amount
United States District Court, Northern District of Georgia, Gainesville Division			
Geoffrey Asher vs. Mark McClure, et al., Civil Action File No. 2:08-CV-0035-WCO			
Deposition of Geoffrey Asher taken September 2, 2009			
Appearance and takedown	4	50.00	200.00
Original & 1 copy	178	4.10	729.80
Exhibits	49	0.35	17.15
Condensed copy provided.		0.00	0.00
Postage and handling [includes mailing original]		20.00	20.00
Payable upon receipt. Past due after 30 days. THANK YOU FOR YOUR BUSINESS!		Total	\$966.95
		Payments/Credits	\$0.00
		Balance Due	\$966.95

Phone #	Fax #
(706) 353-2049	(706) 353-3848

Tax Identification #
58-2436259

TDL COURT REPORTING, INC.
3354 Wilkerson Drive
Gainesville, GA 30506
(770) 539-9040
(770) 539-9151 Fax

Jason C. Waymire
4330 South Lee Street, NE
Bldg. 400, Suite A
Buford, GA 30518

INVOICE NO. : 931798
INVOICE DATE: 10/14/2009
REPORTER:
Randy Slane

ID# 58-2274428

ASHER VS. MCCLURE
DEPO OF DONALD GRINDLE

Date	Description
9/18/2009	Appearance Fee Original & One Copy - 60 pages Errata

Sub Total	330.00
Paid	0.00
Balance Due	330.00

WE APPRECIATE YOUR BUSINESS.
TERMS: NET 30 DAYS

TDL COURT REPORTING, INC.
3354 Wilkerson Drive
Gainesville, GA 30506
(770) 539-9040
(770) 539-9151 Fax

Jason C. Waymire
4330 South Lee Street, NE
Bldg. 400, Suite A
Buford, GA 30518

INVOICE NO. : 931799
INVOICE DATE: 10/14/2009
REPORTER:
Randy Slane

ID# 58-2274428

ASHER VS. MCCLURE
DEPOS OF CARROLL & GREEN

Date	Description
9/22/2009	Appearance Fee Original & One Copy - 199 pages Errata

Sub Total	876.25
Paid	0.00
Balance Due	876.25

WE APPRECIATE YOUR BUSINESS.
TERMS: NET 30 DAYS

Thompson Reporting Services, Inc.

Certified Court Reporters

P.O. Box 680311

Marietta, Georgia 30068

(678) 483-0600

Tax ID: 58-2234878

May 12, 2010

Mr. Jason C. Waymire
Williams Morris and Waymire
4330 South Lee Street, N.E.
Building 400, Suite A
Buford, GA 30518

Invoice Number 10641

Re: Geoffrey Asher vs Mark McClure, et al.
CAF No.: 2:08-CV-0035-WCO

Description of Services

Invoice total:	\$497.31
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If paid within 30 days:	<u>-45.21</u>
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Discount total:	\$452.10
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Original and one copy of the
Deposition of Terry Wayne Grindle,
Taken on April 29, 2010,
Buford, Georgia.

Thank you.

(Invoices past due more than 60 days shall bear interest
at 1.5% per month, 18% per annum.)

LEGAL VIDEO SERVICES, INC.

**THE PINNACLE, SUITE 500
3455 PEACHTREE ROAD, NE
ATLANTA, GEORGIA 30326
770.640.5050
www.atlantalegalvideo.com**

Invoice

DATE	INVOICE NO.
7/13/2011	28056

BILL TO	RE:
JASON C. WAYMIRE, ESQ. WILLIAMS, MORRIS & WAYMIRE BULIDING 400, SUITE A 4330 SOUTH LEE STREET BUFORD, GEORGIA 30518	ASHER V. McCLURE, et al.

TERMS
Net 30

DATE	DESCRIPTION	AMOUNT
7/13/2011	VIDEOTAPED DEPOSITION OF MATTHEW HESTER	325.00
	VIDEO DVD COPY(S)	45.00
	NO CHARGE FOR TRAVEL TO BUFORD	
Minimum service fee of \$5 or 1.5% per month added to past due accounts. TAX ID no. 58-2206602		Total \$370.00

AO44
(Rev. 11/07)UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA

INVOICE NO: 20110062

MAKE CHECKS PAYABLE TO:

Jason C. Waymire
Williams, Morris & Waymire, LLC
4330 South Lee Street
Suite A, Building 400
Buford, GA 30518
Phone:

Debra R. Bull, RPR, CRR
U. S. Court Reporter
75 Spring Street, SW, Suite 1959
Richard B. Russell Federal Bldg
Atlanta, GA 30303
Phone: (404) 215-1383

Tax ID: 257-31-3726
debra1063@aol.com

☐ CRIMINAL ☒ CIVIL

DATE ORDERED:

08-02-2011

DATE DELIVERED:

08-02-2011

Case Style: 2:08-CV-35, Asher v McClure, et al
realtime transcript of Asher's testimony

CATEGORY	ORIGINAL			1ST COPY			2ND COPY			TOTAL CHARGES
	PAGES	PRICE	SUBTOTAL	PAGES	PRICE	SUBTOTAL	PAGES	PRICE	SUBTOTAL	
Ordinary	135	3.65	492.75							492.75
14-Day										
Expedited										
Daily										
Hourly										
Realtime	135	3.05	411.75							411.75
Misc. Desc. MISC. CHARGES:										
TOTAL:										904.50
LESS DISCOUNT FOR LATE DELIVERY:										
TAX (If Applicable):										
LESS AMOUNT OF DEPOSIT:										
TOTAL REFUND:										
TOTAL DUE:										\$904.50

ADDITIONAL INFORMATION

Full price may be charged only if the transcript is delivered within the required time frame. For example, if an order for expedited transcript is not completed and delivered within seven (7) calendar days, payment would be at the ordinary delivery rate.

CERTIFICATION

I certify that the transcript fees charged and page format used comply with the requirements of this court and the Judicial Conference of the United States.

SIGNATURE:

DATE

08-11-2011

(All previous editions of this form are
cancelled and should be destroyed)